

ORDINANCE NO. 3727

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, CONCERNING ADOPTION OF STATE CRIMINAL ATTEMPT STATUTES BY REFERENCE; PROVIDING FOR SEVERABILITY; AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE.

WHEREAS, the Snohomish County Prosecuting Attorney, citing budgetary constraint, reduction in staff and a resulting desire to allocate available resources to violent crimes, has informed the City of Edmonds ("City") that it will exercise its prosecutorial discretion to decline to prosecute certain class C felonies; and

WHEREAS, the City does not have jurisdiction to prosecute felonies that the County Prosecutor declines to prosecute, it can prosecute, as gross misdemeanors in the Municipal Court of the City of Edmonds ("Municipal Court"), criminal attempts to commit class C felonies within the City; and

WHEREAS, the Municipal Court only has jurisdiction to adjudicate citations for criminal violations that violate City ordinance or the Edmonds City Code ("ECC"); and

WHEREAS, the City may, by reference or verbatim, adopt non-felony criminal codes in the Revised Code of Washington ("RCW") into the ECC; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF EDMONDS, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Amended. ECC 5.08.010 Anticipatory offenses prohibited. is hereby amended to read as follows:

5.08.010 Anticipatory offenses prohibited.

The following statutes of the state of Washington, including all future amendments, are adopted by reference as if set forth in full

herein:

RCW 9A.28.020(1),(2),(3)(d),(3)(e) Criminal attempt
RCW 9A.28.030 Criminal solicitation
RCW 9A.28.040 (1),(2),(3)(d)(e) Criminal conspiracy

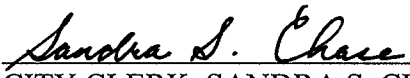
Section 2. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause, or phrase of this ordinance.

Section 3. Effective Date. This ordinance, being an exercise of a power specifically delegated to the City legislative body, is not subject to referendum and shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title.

APPROVED:


MAYOR GARY HAAKENSON

ATTEST/AUTHENTICATED:


CITY CLERK, SANDRA S. CHASE

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY 
W. SCOTT SNYDER

FILED WITH THE CITY CLERK:	02/13/2009
PASSED BY THE CITY COUNCIL:	02/17/2009
PUBLISHED:	02/22/2009
EFFECTIVE DATE:	02/27/2009
ORDINANCE NO. <u>3727</u>	

SUMMARY OF ORDINANCE NO. 3727

of the City of Edmonds, Washington

On the 17th day of February, 2009, the City Council of the City of Edmonds, passed Ordinance No. 3727. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, CONCERNING ADOPTION OF STATE CRIMINAL ATTEMPT STATUTES BY REFERENCE; PROVIDING FOR SEVERABILITY; AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE.

The full text of this Ordinance will be mailed upon request.

DATED this 18th day of February, 2009.


CITY CLERK, SANDRA S. CHASE

Affidavit of Publication

STATE OF WASHINGTON,
COUNTY OF SNOHOMISH

} S.S.

The undersigned, being first duly sworn on oath deposes and says that she is Principal Clerk of THE HERALD, a daily newspaper printed and published in the City of Everett, County of Snohomish, and State of Washington; that said newspaper is a newspaper of general circulation in said County and State; that said newspaper has been approved as a legal newspaper by order of the Superior Court of Snohomish County and that the notice



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The full text of this Ordinance will be mailed upon request.
DATED this 18th day of February, 2009.

CITY CLERK, SANDRA S. CHASE
Published: February 22, 2009.

Summary of Ordinance No. 3727

Concerning Adoption of the State Criminal Attempt Statutes

a printed copy of which is hereunto attached, was published in said newspaper proper and not in supplement form, in the regular and entire edition of said paper on the following days and times, namely:

February 22, 2009

and that said newspaper was regularly distributed to its subscribers during all of said period.

Jody Groll

Principal Clerk

Subscribed and sworn to before me this

23rd

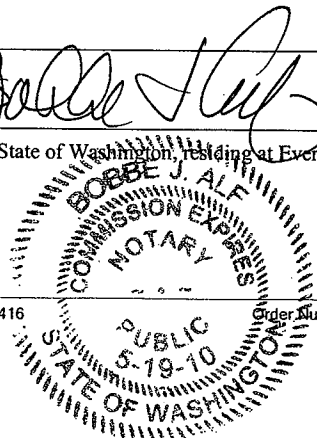
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EDMONDS CITY CLERK

day of February, 2009

Notary Public in and for the State of Washington, residing at Everett, Snohomish County.



Account Name: City of Edmonds

Account Number: 101416

Order Number: 0001637234